

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**SHAWN DRUMGOLD**

**Plaintiff,**

**v.**

**TIMOTHY CALLAHAN, FRANCIS M.**

**ROACHE, PAUL MURPHY, RICHARD**

**WALSH, and THE CITY OF BOSTON,**

**Defendants.**

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**C.A. NO.: 04-11193NG**

**CONSOLIDATED EXHIBITS IN SUPPORT  
OF DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT**

**Exhibit**

- |               |  |
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| <b>1</b>      | Complaint, dated June 3, 2004  |
| <b>2</b>      | (Search Warrant) Affidavit of Detective Richard W. Walsh                                       |
| <b>3</b>      | August 25, 1989 Recorded Statement of Chris Cousins  |
| <b>4</b>      | August 20, 1988 Recorded Statement of Tyron Brewer   |
| <b>5</b>      | August 20, 1988 Recorded Statement of Travis Johnson   |
| <b>6</b>      | August 21, 1988 Recorded Statement of Chris Cheney   |
| <b>7</b>      | August 24, 1988 Report of Investigation  |
| <b>8</b>      | August 20, 1988 Recorded Statement of Mervin Reese   |
| <b>9</b>      | August 26, 1988 Report of Investigation  |
| <b>10 (A)</b> | March 7, 2007 Affidavit of Madelyn Powell Hamilton   |
| <b>10 (B)</b> | March 13, 2007 Deposition of Madelyn Powell Hamilton   |
| <b>11</b>     | May 22, 1989 Memorandum from to Phil Beauchesne from Richard Dahill                            |
| <b>12 (A)</b> | August 31, 1988 Recorded Statement of Antonio Anthony  |
| <b>12 (B)</b> | September 2, 1988 correspondence from Detective Murphy to Deputy Superintendent Joseph Dunford |

**Exhibit**

- 12 (C)** July 30, 2003 New Trial Testimony of Antonio Anthony  
**12 (D)** September 26, Voir Dire of Antonio Anthony
- 13 (A)** October 10, 1989 Trial Testimony of Timothy Callahan  
**13 (B)** August 6, 2003 New Trial Testimony of Timothy Callahan  
**13 (C)** March 2, 2007 Deposition of Timothy Callahan  
**13 (D)** May 31, 2007 Deposition of Timothy Callahan
- 14 (A)** March 31, 1994 New Trial Testimony of Steven Rappaport, Esq.  
**14 (B)** August 4, 2003 New Trial Testimony of Steven Rappaport, Esq.  
**14 (C)** August 4, 2006 Deposition of Steven Rappaport, Esq.  
**14 (D)** February 3, 2007 Deposition of Steven Rappaport, Esq.
- 15 (A)** March 2, 1989 Testimony of Richard Walsh  
**15 (B)** October 5, 1989 Trial Testimony of Richard Walsh  
**15 (C)** October 6, 1989 Trial Testimony of Richard Walsh  
**15 (D)** August 3, 2003 New Trial Testimony of Richard Walsh  
**15 (E)** February 19, 2007 Deposition of Richard Walsh  
**15 (F)** September 14, 2006 Deposition of Walsh Deposition
- 16** Criminal Docket
- 17 (A)** September 8, 1988 Grand Jury Testimony of Tracie Peaks  
**17 (B)** October 3, 1989 Trial Testimony of Tracie Peaks  
**17 (C)** July 31, 2003 New Trial Testimony of Tracie Peaks  
**17 (D)** April 28, 2006 Deposition of Tracie Peaks  
**17 (E)** September 15, 2006 Deposition of Tracie Peaks
- 18** March 2, 2006 Deposition of Betty Peaks
- 19 (A)** September 19, 2006 Deposition of Scott Keller  
**19 (B)** October 19, 2006 Deposition of Scott Keller
- 20 (A)** August 29, 1988 Recorded Statement of Shawn Drumgold  
**20 (B)** November 30, 2006 Deposition of Shawn Drumgold  
**20 (C)** July 17, 2007 Deposition of Shawn Drumgold
- 21 (A)** Carney Hospital Medical Records for Mary Alexander  
**21 (B)** October 3, 1989 Trial Testimony of Mary Alexander
- 22 (A)** April 4, 2006 Deposition of Lola Alexander  
**22 (B)** July 30, 2003 New Trial Testimony of Lola Alexander
- 23 (A)** March 2, 1989 Testimony of Paul Murphy

**Exhibit**

- 23 (B)** October 6, 1989 Trial Testimony of Paul Murphy
- 23 (C)** January 4, 2001 Paul J. Murphy Certificate of Death
- 24** *Commonwealth v. Drumgold and Taylor*, Crim. A. Nos. 071882/83 (Mass. Super. May 18, 1989) (Consolidated Memorandum on Defendant Shawn Drumgold's Motion to Dismiss for Prosecutorial Misconduct; Defendants' Motions to Suppress Statements; Defendants' Motions to Dismiss for Insufficient Evidence Before Grand Jury and Impairment of Grand Jury Proceedings)
- 25 (A)** November 15, 2006 Deposition of John Daley
- 25 (B)** February 21, 2007 Deposition of John Daley
- 26 (A)** June 10, 1989 Recorded Statement of Vantrell McPherson.
- 26 (B)** October 3, 1989 Trial Testimony of Vantrell McPherson
- 26 (C)** March 17, 2006 Deposition of Vantrell McPherson
- 27 (A)** August 16, 1989 Recorded Statement of Eric Johnson
- 27 (B)** October 4, 1989 Trial Testimony of Eric Johnson
- 28 (A)** August 6, 1989 Recorded Statement of Ricky Evans
- 28 (B)** June 26, 2006 Deposition of Ricky Evans
- 28 (C)** July 10, 2006 Deposition of Ricky Evans
- 28 (D)** January 30, 1990 Memorandum from Assistant District Attorney Paul F. Connolly to Victim Witness Advocate Laura Scherz
- 29 (A)** July 1, 1989 Statement of Olisa Graham
- 29 (B)** July 29, 2003 New Trial Testimony of Olisa Graham
- 29 (C)** May 17, 2006 Deposition of Olisa Graham
- 30** Homicide Unit Investigative Report re: Interview of Olisa Graham, dated July 23, 2003
- 31 (A)** July 29, 2003 New Trial Testimony of Gemini Hulum
- 31 (B)** February 20, 2006 Deposition of Gemini Hulum
- 31 (C)** May 11, 2006 Deposition of Gemini Hulum
- 32** November 16, 2006 Deposition of Paul McDonough
- 33** *Commonwealth v. Drumgold*, Crim. A. No. 071882-3 (Mass. Super. June 30, 1994) (Memorandum of Decision on Defendant's Motion for Reconsideration of Motion for a New Trial)

**Exhibit**

- 34** Commonwealth's Motion for Evidentiary Hearing on Defendant's (Third) Motion for New Trial Witness List
- 35** Criminal Trial Witness Testimony Indices
- 36** New Trial Witness Testimony Indices
- 37** October 1, 2007 Affidavit of Richard Walsh